



Town of Fairhaven Office of the Select Board

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DISPOSAL OF SURPLUS PROPERTY POLICY

Policy: From time to time the Town of Fairhaven finds it necessary to dispose of surplus property. The Town holds the option of properly disposing outright any supply or equipment that is broken, unusable or outdated. The following outlines the procedures to be followed by each department in the disposition of individual items with an estimated value of less than ten thousand dollars \$10,000.00

“Surplus” materials included in this policy are defined as items no longer useful to the municipality but having resale or salvage value. This policy shall not apply to real property.

- A. Department Heads shall identify items as surplus and provide a written notice with pictures (if applicable) to the Town Administrator or designee (hereinafter referred to as “TA”) of any property identified as obsolete, disused, worn out or to be scrapped (herein referred to as “surplus property”). The TA shall maintain a list of the surplus properties.
- B. The list of surplus property shall be offered to other town departments first.
- C. If no other town department expresses an interest in the surplus property, the TA shall determine the value of the surplus property. Any surplus property valued at \$10,000.00 or greater, in which case the property may be disposed of as surplus in conformance with the procedures of General Laws Chapter 30B.
- D. If the TA determines the value of the surplus property is less than \$10,000.00, the TA may dispose of the surplus property as provided herein.
 1. If the TA determines that the surplus property has no resale or salvage value, he/she shall dispose of such property at the least cost to the Town, e.g., if the property has become obsolete, or the property requires work to be done prior to sale that would be equal to or more than the likely value thereof, the item may be recycled, or if that is not possible, disposed of as waste.
 2. For surplus property that has a resale or salvage value, where it is determined that no other department has an interest in the property, the property may be disposed of pursuant to the procedure set forth below:
 - a. An online auction site may be used first when determined by the TA that the item will result in a higher purchase price.
 - b. A "Town Auction" shall be used for other surplus property to be offered to the public to bid on by posting notice of the sale at the Town Hall and posting the list on the Town’s website at least seven (7) calendar days prior to the sale.

Approved 7.17.2023

- c. Thereafter a physical auction shall take place at the Board of Public Works (BPW) on the third Saturday of September unless a new date is determined by a vote of the BPW.
- d. In all cases, the surplus property shall be sold to the person offering the highest purchase price. All property sold must be paid for by Cashier's Check, Certified Check, Money Order or Cash and must be paid in full prior to the release of the item(s). The purchaser will also acknowledge the item as bought and paid for is in "as is" condition and not subject to refund.
- e. Funds will be deposited through the Town Collector as "local receipts."
- E. If the Town does not receive an offer to purchase the surplus property pursuant to any of the above-referenced methods, the TA may authorize that the property be disposed of as waste, or in any other manner consistent with the law.
- F. All documentation of the sale will be on record with the Town Accountant's Office.

Per the Inspector General's Office, this does not apply to MGL Chapter 94C § 47A Seized controlled substances and narcotic drugs

This policy may be amended by the Select Board and approved with a majority vote.